

State of Tennessee
Department of Human Services
Division of Rehabilitation Services
STATEMENT OF UNDERSTANDING

**YOUR RIGHTS AS AN APPLICANT FOR
VOCATIONAL REHABILITATION SERVICES**

- ✓ **To be eligible for Vocational Rehabilitation services, you must:**
 - Have a qualifying disability that keeps you from working or makes it difficult for you to go to work or keep a job; **and**
 - Be able to benefit from services in terms of employment; **and**
 - Need vocational rehabilitation services to prepare for, find, or keep a job.
 - If you receive Social Security Disability benefits or SSI based on disability or blindness, you are eligible if you intend to go to work.

- ✓ **Your Vocational Rehabilitation Counselor should let you know within 60 days if you are eligible for services unless:**
 - There are problems in deciding about your eligibility that are beyond the control of the Counselor. In that case, we may ask you to agree to an extension of time; **or**
 - You are participating in trial work experiences to determine if you are able to work.

- ✓ **There are times when the Division may not have enough money to serve all eligible persons.** If that occurs, Federal law requires us to give first priority to persons who have the most significant disabilities.

- ✓ **If we determine that you are eligible for services, or if you are receiving trial work experiences, services will be provided under the written terms of an Individualized Plan for Employment (IPE).** You have the right to develop your own IPE, or you may ask for help from the Counselor or from another person or agency. You or your representative and the Counselor will sign your IPE after it is developed and approved, and you will receive a copy. You and your counselor will review your IPE at least annually. Your IPE may be changed if circumstances change and you need different services or develop a different job goal.

- ✓ **If you are not satisfied with the way that services are being provided, or if you are denied services, you have the right to appeal.** If you or your representative want to appeal a decision, you should contact _____, a member of our supervisory staff, at phone number _____ within ten (10) working days of the decision that you disagree with.

There are three ways that you may appeal:

- You may ask for administrative review by a supervisor of this Agency; **or**
- You may request mediation by a professional mediator; **or**
- You may request a fair hearing before an impartial hearing officer.

You may choose any of the above three options. If you request a fair hearing, it will be scheduled within forty-five (45) days. If you enter mediation and the problem is not resolved, and you then decide to ask for a fair hearing, you must file a request within ten (10) days after the mediation is completed.

- ✓ **A Client Assistance Program (CAP) is available to help you if you need information and advice about services under the Rehabilitation Act.** If you ask CAP for help, their staff may provide assistance to ensure that your rights under the law are protected. You may contact CAP through Tennessee Protection and Advocacy, Inc., 2416 21st Avenue South, P.O. Box 121257, Nashville, Tennessee 37212. Their telephone number is (615) 298-1080, toll-free 1 (800) 342-1660, TDD (615) 298-1080, Fax (615) 298-2046.
- ✓ **The law requires us to administer our program so that all persons are treated equally regardless of disability, age, race, color, religion, sex, national origin, or any other group that is protected by law.** If you feel that you have been discriminated against, you have the right to file a written complaint with the Assistant Commissioner, Division of Rehabilitation Services, 400 Deaderick Street, Nashville, Tennessee 37248-6000 or with the U.S. Department of Education, 61 Forsythe Street, S.W., Atlanta, GA 30303.

Applicant Signature Date

Counselor Signature Date